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U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

To The District Court Of The United States
for The Middle District Of Alabama
Northern Division

(Original)

Roy Lee McAfee 147346

Plaintiff

vs.

Case No. 2:07-CV-692-WKW

Bob Riley, et.al.,

[WSO]

Defendants

~~REBUTTING~~ Request For Extension Of Time

Comes now Roy Lee McAfee, the plaintiff in the above styled cause and moves this Honorable Court to grant this request for extension of time and in support thereof states the following:

1. This Honorable Court issued an order on September 25th - a recommendation - that plaintiffs' request for preliminary injunction be denied and further that failure to file written objections to the proposed findings in the Recommendation shall bar plaintiff from a de novo determination by the District Court of issues covered in the report and shall bar party from attacking on appeal factual findings in the report.
2. Plaintiff is clearly laboring - in his endeavor to pursue the issues he has brought before the Court - under horrendous conditions i.e., restricted access to law library resources, eight to nine hours a week.

confinement in a dormitory type housing environment that is filled to over double its intended capacity.

3. It would not be adverse to the interests of the defendants, the Courts, or the public to grant plaintiff an extension, and in fact would hinder the orderly process of this litigation.

4. Plaintiff further states to the Court that he has no intention of filing continues motions for extensions in this matter and that, if given sufficient time, the Court will appreciate the comprehensiveness of plaintiffs' arguments.

Conclusion - Relief Sought

1. A 20 day extension to the October 8th deadline.
2. Any and all further relief as the Court deems just and proper.

Respectfully submitted this [REDACTED] 5th day
of October 2007.

Roy McAttee 147346
Plaintiff

Certificate of Service

I, Roy Lee McAttee, do hereby certify that I have served a true and correct copy of the foregoing Request for extension of time upon the defendants by placing same in the United States Mail postage pre-paid.

Roy McAttee 147346
Plaintiff

Key Matter 147346
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Brent, AL
35034

BIRMINGHAM, AL 350

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